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CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

5 BURKE O'NEIL LLC  
 Susan L. Burke (Pro Hac Vice motion pending)  
 6 William T. O'Neil (Pro Hac Vice motion pending)  
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BY:  DEPUTY

9 Attorneys for Plaintiffs

10 UNITED STATES DISTRICT COURT  
 11 SOUTHERN DISTRICT OF CALIFORNIA

12 ESTATE OF SABAH SALMAN  
 HASOON;  
 13 HAMZIA UBAID AL WAN;  
 SAJJAD SABAH SALMAN;  
 14 MOHAMMED SABAH SALMAN;  
 ALI SABAH SALMAN;  
 15 ESTATE OF AZHAR ABDULLAH ALI;  
 IBTISAM ABBASS JORREY;  
 16 SAJJAD AZHAR ABDULLAH;  
 EMAD AZHAR ABDULLAH;  
 17 SAJAH AZHAR ABDULLAH; and  
 ESTATE OF NIBRASS MOHAMMED  
 18 DAWOOD,

19 Plaintiffs,

20 v.

21 XE, formerly known as BLACKWATER  
 WORLDWIDE and BLACKWATER LODGE  
 22 AND TRAINING CENTER, INC.;  
 US TRAINING CENTER WEST;  
 23 BLACKWATER SECURITY CONSULTING,  
 LLC;  
 24 BLACKWATER ARMOR AND TARGETS,  
 LLC;  
 25 BLACKWATER AIRSHIPS, LLC;  
 BLACKWATER LOGISTICS, LLC;  
 26 RAVEN DEVELOPMENT GROUP, LLC;  
 GREYSTONE LIMITED TOTAL  
 27 INTELLIGENCE SOLUTIONS, LLC;  
 28 THE PRINCE GROUP LLC;

CASE NO.

09 CV 0647 L

JMA

## COMPLAINT FOR:

1. WAR CRIMES
2. ASSAULT AND BATTERY
3. WRONGFUL DEATH
4. INTENTIONAL INFLICTION OF  
EMOTIONAL DISTRESS
5. NEGLIGENT INFLICTION OF  
EMOTIONAL DISTRESS
6. NEGLIGENT HIRING, TRAINING  
AND SUPERVISION
7. TORTIOUS SPOILATION OF  
EVIDENCE

## DEMAND FOR JURY TRIAL

1 EP INVESTMENTS, LLC; and  
 2 ERIK PRINCE,

3 Defendants.

4 Plaintiffs ESTATE OF SABAH SALMAN HASOON; HAMZIA UBAID ALWAN;  
 5 SAJJAD SABAH SALMAN; MOHAMMED SABAH SALMAN; ALI SABAH SALMAN;  
 6 ESTATE OF AZHAR ABDULLAH ALI; IBTISAM ABBASS JORREY; SAJJAD AZHAR  
 7 ABDULLAH; EMAD AZHAR ABDULLAH; SAJAH AZHAR ABDULLAH; and  
 8 ESTATE OF NIBRASS MOHAMMED DAWOOD (hereinafter referred to as "Plaintiffs")  
 9 hereby allege as follows:

#### 10 JURISDICTION AND VENUE

11 1. This Court has original jurisdiction over the subject matter of this action pursuant  
 12 to 28 U.S.C. Section 1331 (federal question); 28 U.S.C. Section 1332 (diversity jurisdiction);  
 13 28 U.S.C. Section 1350 (Alien Tort Statute); and 28 U.S.C. Section 1367 (supplemental  
 14 jurisdiction).

15 2. Venue is proper in this Court pursuant to 28 U.S.C. Section 1391(a)(3) and  
 16 Section 1391(b)(2).

#### 17 THE PARTIES

18 3. Plaintiff is the Estate of Sabah Salman Hassoon. Before being shot by Xe-  
 19 Blackwater, Sabah Salman Hassoon was a 38-year old father of three who worked as a  
 20 security guard for the Iraqi Media Network.

21 4. Plaintiff Hamzia Ubaid Alwan is the widow of Sabah Salman Hassoon. She is  
 22 a 45-year old mother now raising three young children without her husband.

23 5. Plaintiffs Sajjad Sabah Salman, Mohammed Sabah Salman, and Ali Sabah  
 24 Salman are the three sons forced to grow up without their father. Now 12, 11 and 10 years  
 25 old, respectively, they have suffered, and continue to suffer greatly, as a result of Xe-  
 26 Blackwater's misdeeds.

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1           6.     Plaintiff is the Estate of Azhar Abdullah Ali. Before being shot by Xe-  
2 Blackwater, Azhar Abdullah Ali was a 33-year old father of three who worked as a security  
3 guard for the Iraqi Media Network.

4           7.     Plaintiff Ibtisam Abbass Jorrey is the widow of Azhar Abdullah Ali. She is a  
5 29-year old mother now raising three young children without her husband.

6           8.     Plaintiffs Sajjad Azhar Abdullah; Emad Azhar Abdullah; and Sajah Azhar  
7 Abdullah are the three children forced to grow up without their father. Now 9, 7 and 4 years  
8 old, respectively, they have suffered, and continue to suffer greatly, as a result of Xe-  
9 Blackwater's misdeeds.

10          9.     Plaintiff is the Estate of Nibrass Mohammed Dawood. Before being shot by  
11 Xe-Blackwater, Nibrass Mohammed Dawood was a 25-year old who worked as a security  
12 guard for the Iraqi Media Network.

13          10.    Defendant Erik Price is a resident of McLean, Virginia, with business offices at  
14 1650 Tysons Boulevard, McLean, Virginia 22102, who personally and wholly owns holding  
15 companies known as The Prince Group and EP Investments LLC. Mr. Price, through these  
16 holding companies, owns and controls the various Xe-Blackwater entities, as well as entities  
17 known as Greystone and Total Intelligence.

18          11.    Defendant The Prince Group LLC is a holding company located at 1650  
19 Tysons Boulevard, McLean, Virginia 22102.

20          12.    Defendant EP Investments, LLC, is a holding company managed by The  
21 Prince Group LLC. EP Investments, LLC is located at 1650 Tysons Boulevard, McLean,  
22 Virginia 22102.

23          13.    Defendant Erik Prince, acting through a web of companies operating under the  
24 "Xe" or "Blackwater" or "Falcon" or "Greystone" or "Total Intelligence" names, earns  
25 billions of dollars providing mercenaries (known as "shooters") for hire. The various Xe-  
26 Blackwater, Greystone and The Prince Group corporate entities were formed merely to  
27 reduce legal exposures and do not operate as individual and independent companies outside  
28 the control of Erik Prince. Erik Prince personally controls all the various entities.

14. Defendants Xe, Blackwater Worldwide, Blackwater Lodge and Training Center, Inc., Blackwater Target Systems, Blackwater Security Consulting and Raven Development Group are all located at 850 Puddin Ridge Road, Moyock, North Carolina 27958.

15. Defendant Greystone Ltd. and Total Intelligence Solutions LLP are companies through which Erik Prince conducts his mercenary business. Greystone Ltd. and Total Intelligence Solutions LLP are located at 1650 Tysons Boulevard, McLean, Virginia 22102.

16. Defendant U.S. Training Center, a subsidiary of Xe- Blackwater, operates U.S. Training Center Southwest. This 66,000 square foot training center provides military, law enforcement and private citizen firearms and specialty course training. U.S. Training Center Southwest was formed and does business in this District at 7685 Siempre Viva Road, San Diego, California. It had previously conducted business in this District at 5590 Ruffin Road, San Diego, California.

## COMPLAINT

17. On February 7, 2007, heavily-armed Xe-Blackwater employees shot and killed three (3) men working as security guards at the rear gate of the Iraqi Media Network compound in central Baghdad -- Sabah Salman Hassoon, Azhar Abdullah Ali, and Nibrass Mohammed Dawood. The Xe-Blackwater employees had no reason to shoot these three men.

18. Approximately twenty (20) Xe-Blackwater employees witnessed the crimes. Blackwater-Xe supervisors learned of the killings shortly after they occurred. Yet Xe-Blackwater did nothing to report the shootings. Instead, Xe-Blackwater acted, and continues to act, in conspiracy with the shooters, to evade any accountability whatsoever.

19. Xe-Blackwater's bad acts include, among other things, refusing to identify the shooters to Iraqi authorities and destroying documents and other evidence relating to this and other Xe-Blackwater shootings.

20. This action seeks damages sufficient to stop Xe, formerly Blackwater, in all of its various corporate incarnations, from continuing its lawless behavior. These companies (including an Xe-Blackwater company called Falcon, which continues to operate in Iraq), are

1 all component parts of a single private company wholly owned and personally controlled by  
 2 a man named Erik Prince. Xe-Blackwater's unjustified killings of Sabah Salman Hassoon,  
 3 Azhar Abdullah Ali, and Nibrass Mohammed Dawood are but one of a staggering number of  
 4 senseless deaths that directly resulted from Xe-Blackwater's misconduct.

#### 5 **THE XE-BLACKWATER IRAQI MEDIA NETWORK MURDERS**

6 21. Xe-Blackwater provides armed forces to protect Department of State personnel  
 7 in Iraq. These mobile armed forces that accompany diplomats and others in need of  
 8 protection are consistently referred to by Xe-Blackwater as "shooters."

9 22. Xe - Blackwater earned more than two billion dollars from the United States.  
 10 The United States paid Xe - Blackwater these substantial sums based on Xe - Blackwater's  
 11 misrepresentations that it was a legitimate company able to conduct itself in a lawful manner.  
 12 But in fact, Xe - Blackwater operates extra-legally, providing heavily-armed mercenaries  
 13 who flout the laws of this nation and the host nation, Iraq.

14 23. On February 7, 2007, approximately twenty (20) Xe-Blackwater employees in  
 15 four SUVs escorted a U.S. diplomat to a meeting at the Iraqi Justice Ministry outside the  
 16 Green Zone. During the meeting, Blackwater shooters took up positions on the Justice  
 17 Ministry's roof.

18 24. Across the street from the Iraqi Justice Ministry sits the compound of the Iraqi  
 19 Media Network, a state-owned and operated enterprise, which operates newspapers, radio  
 20 stations and the al-Iraqiya television station. (The United States provides assistance to this  
 21 network.) The rear gate to the Iraqi Media Network compound sits across the street from the  
 22 Iraqi Justice Ministry. A traffic circle known as King Faisal Square separates the two  
 23 compounds.

24 25. The three (3) deceased were guards for Iraqi Media Network, and were  
 25 manning their guard stations on February 7, 2007.

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27 ///

28 ///

1           26.    Xe-Blackwater shooters located on the roof across the street opened fire on  
2   Nibrass Mohammed Dawood, who was stationed on a balcony overlooking gate. The Xe-  
3   Blackwater shooters hit him, and he fell to the balcony floor. Xe-Blackwater shooters had no  
4   reason to shoot him.

5           27.    Several other guards heard the shot and saw Nibrass Mohammed Dawood fall.  
6   As they ran to his side to assist him, they too came under fire from the Xe-Blackwater  
7   shooters.

8           28.    Azhar Abdullah Ali and Sabah Salman Hassoon were among those who ran to  
9   assist Nibrass. Xe-Blackwater shooters shot them both as they were assisting Nibrass.

10          29.    The Iraqi Army commander at the site, Captain Ahmed Thamir Abood,  
11   received a phone call from the Justice Ministry telling him that the shots were coming from  
12   the Americans stationed on the roof of the Ministry.

13          30.    Captain Abood rushed toward the Justice Ministry, where he confronted the  
14   Xe-Blackwater shooters as they were preparing to leave. Captain Abdood questioned them  
15   about the shootings.

16          31.    Xe-Blackwater personnel refused to identify who was in charge or to answer  
17   Captain Abood's questions. They joked among themselves, giving contradictory statements  
18   regarding to whom the Captain should speak. Instead of answering questions posed by the  
19   Iraqi military captain, Xe-Blackwater shooters loaded up their vehicles, released smoke  
20   grenades and sped off toward the Green Zone.

21          32.    The families later discovered from Iraqi police reports that Xe-Blackwater had  
22   been involved in the shootings, and that the shootings were described as "an act of  
23   terrorism."

24          33.    Xe-Blackwater failed to conduct any investigation whatsoever into the  
25   shootings.

26          34.    Instead, Xe-Blackwater conspired with the shooters to protect their identities  
27   from discovery and to evade any accountability.

28   ///



**XE – BLACKWATER’S PATTERN AND PRACTICE OF ILLEGAL ACTIVITY**

35. Blackwater’s shootings of Nibrass Mohammed Dawood, Azhar Abdullah Ali and Sabah Salman Hassoon were neither the first nor the last time Xe-Blackwater shot and killed innocents for no reason.

36. Xe - Blackwater has a pattern and practice of recklessness in the use of deadly force. Xe - Blackwater has created and fostered a corporate culture in which excessive and unnecessary use of deadly force by its employees is not investigated or punished in any way.

37. Xe - Blackwater routinely sends heavily-armed “shooters” into the streets of Baghdad with the knowledge that some of those “shooters” are chemically influenced by steroids and other judgment-altering substances.

38. Xe-Blackwater routinely gives weapons to men known to be alcoholics or drug users. Xe-Blackwater fails to prevent its employees from carrying their weapons when they are imbibing alcohol or using drugs.

39. Xe – Blackwater management refused to fire or discipline mercenaries who murdered innocent Iraqis. Mercenaries known to have committed “bad shoots” (*i.e.* murder) would not even be placed on the “do not use” list. Instead, Xe – Blackwater would continue to rehire and deploy mercenaries known to have killed innocents for no reason. Plaintiffs will show at trial a litany of illegal shootings around the globe by Xe-Blackwater.

40. Xe-Blackwater repeated engages in illegal conduct. Xe – Blackwater engages in conduct that violates the laws governing the use and sale of firearms. Xe-Blackwater fails to track or monitor its weaponry and ammunition as is required by law.

41. Plaintiffs will show at trial that Xe – Blackwater hired and continues to hire former military officials known to have been involved in human rights abuses in Latin America and elsewhere. Although Xe – Blackwater tries to pass itself off as a company using retired American military, the company actually recruits mercenaries from the Philippines, Chile, Nepal, Colombia, Ecuador, El Salvador, Honduras, Panama, Peru, Bulgaria, Poland, Romania, Jordan and perhaps South Africa. Xe - Blackwater hires and deploys to Iraq

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1 foreign nationals without regard for the fact that they were forbidden by the laws of their  
2 country from serving as mercenaries.

3 42. Given its status as a mercenary or quasi-mercenary organization, Xe –  
4 Blackwater violates the law by seeking and accepting work from the United States  
5 government. The Anti-Pinkerton Act, 5 U.S.C. § 1803, prohibits the United States from  
6 doing business with “[a]n individual employed by the Pinkerton Detective Agency, or  
7 similar organization.” The legislative history of the Act makes it clear that a “similar  
8 organization” means any mercenary or quasi-mercenary organization.

### 9 **XE-BLACKWATER’S DESTRUCTION OF EVIDENCE**

10 43. Xe – Blackwater captured much of the illegal conduct on videotape and  
11 audiotape. Reasonable discovery will show that Xe-Blackwater generated documents that  
12 revealed the identities of the shooters in the February 7, 2007 incident. Reasonable  
13 discovery will show that Xe – Blackwater intentionally destroyed evidence relating to this  
14 incident.

15 44. Reasonable discovery will show that on or about March 18, 2008, Defendants’  
16 high-level executives Messrs. Gary Jackson and Dave Jackson met with others at Xe-  
17 Blackwater (then called Blackwater) to discuss ongoing Department of Justice investigations  
18 and other legal troubles. Reasonable discovery will show that after that meeting, Xe-  
19 Blackwater employees began to destroy documents and other evidence relating to the events  
20 at issue in this and other legal proceedings.

### 21 **DAMAGES**

22 45. Defendants are liable for killing Nibrass Mohammed Dawood, Azhar Abdullah  
23 Ali and Sabah Salman Hassoon. Defendants are liable for the pain and suffering caused to  
24 Nibrass Mohammed Dawood, Azhar Abdullah Ali and Sabah Salman Hassoon, as well as  
25 the pain and suffering and loss of consortium caused to the family members of these victims.

26 46. Defendants are liable for the physical and mental injuries caused to all  
27 Plaintiffs.

28 ///



1 47. Plaintiffs seeks compensatory and punitive damages in an amount for each  
2 individual in excess of the jurisdictional amount set forth in 28 U.S.C. § 1332. Plaintiffs also  
3 seek any and all additional remedies (such as attorneys' fees) available under law and equity.

4 **COUNT ONE – WAR CRIMES**

5 48. All preceding paragraphs are hereby incorporated by reference as if fully set  
6 forth herein.

7 49. Defendants' acts were deliberate, willful, intentional, wanton, malicious and  
8 oppressive and constitute war crimes.

9 50. Defendants' acts took place during a period of armed conflict.

10 51. Defendants committed war crimes against Nibrass Mohammed Dawood, Azhar  
11 Abdullah Ali and Sabah Salman Hassoon, and others.

12 52. Defendants are liable for their conduct that constitutes war crimes.

13 53. Defendants' misconduct caused grave and foreseeable injuries to Plaintiffs.

14 **COUNT TWO – ASSAULT AND BATTERY**

15 54. All preceding paragraphs are hereby incorporated by reference as if fully set  
16 forth herein.

17 55. Defendants unlawfully intended to and did inflict immediate injury upon  
18 Plaintiffs.

19 56. Defendants intentionally assaulted, battered, and made other offensive  
20 contacts; and aided and abetted the assaulting, battering and offensively contacting of the  
21 Plaintiffs.

22 57. Plaintiffs did not consent to the offensive contacts. Plaintiffs feared for their  
23 personal safety and felt threatened by Defendants' actions.

24 58. Defendants committed the assaults and batteries.

25 59. Defendants' acts caused grave and foreseeable damages to Plaintiffs.

26 **COUNT THREE – WRONGFUL DEATH**

27 60. All preceding paragraphs are hereby incorporated by reference as if fully set  
28 forth herein.

1 61. Defendants' wrongful acts and omissions caused the death of Plaintiffs.

2 62. Defendants set the conditions, directly and/or indirectly facilitated, ordered,  
3 acquiesced, confirmed, ratified and/or conspired with others to act in the manner that led to  
4 the wrongful deaths.

5 63. The Estate Plaintiffs are the duly appointed personal representative of Nibrass  
6 Mohammed Dawood, Azhar Abdullah Ali and Sabah Salman Hassoon, respectively.

7 64. The deaths of Nibrass Mohammed Dawood, Azhar Abdullah Ali and Sabah  
8 Salman Hassoon were the foreseeable result of Defendants' wrongful acts and omissions.

9 **COUNT FOUR – INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

10 65. All preceding paragraphs are hereby incorporated by reference as if fully set  
11 forth herein.

12 66. Defendants intentionally inflicted severe emotional distress by way of extreme  
13 and outrageous conduct on Plaintiffs and their family members.

14 67. Defendants set the conditions, directly and/or indirectly facilitated, ordered,  
15 acquiesced, confirmed, ratified and/or conspired with others to inflict emotional distress on  
16 Plaintiffs.

17 68. Defendants' acts caused grave and foreseeable injuries to Plaintiffs and his  
18 family members.

19 **COUNT FIVE – NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

20 69. All preceding paragraphs are hereby incorporated by reference as if fully set  
21 forth herein.

22 70. Defendants negligently inflicted severe emotional distress on Plaintiffs.

23 71. Defendants breached a duty to Plaintiffs.

24 72. Defendants' negligence directly and foreseeably harmed Plaintiffs.

25 **COUNT SIX – NEGLIGENT HIRING, TRAINING AND SUPERVISION**

26 73. All preceding paragraphs are hereby incorporated by reference as if fully set  
27 forth herein.

28 ///

1           74. Defendants acted negligently and directly harmed Plaintiffs by:

2           (a) failing to take the appropriate steps in hiring proper personnel to  
3 perform services;

4           (b) failing to properly screen personnel before their hiring;

5           (c) failing to train personnel properly;

6           (d) failing to investigate allegations of wrongdoing;

7           (e) failing to reprimand for wrongful actions;

8           (f) failing to adequately monitor for and stop illegal substance abuse; and

9           (g) negligently permitting repeated lawlessness by employees.

10          75. Defendants' negligence directly and foreseeably harmed Plaintiffs.

11           **COUNT SEVEN – TORTIOUS SPOILATION OF EVIDENCE**

12          76. All preceding paragraphs are hereby incorporated by reference as if fully set  
13 forth herein.

14          77. Defendants had a legal duty to preserve evidence relating to unauthorized uses  
15 of force.

16          78. Defendants intentionally destroyed that evidence to prevent detection of its  
17 wrongdoing.

18          79. Defendants' destruction of evidence significantly impaired Plaintiffs' ability to  
19 prove certain facts in this action.

20          80. Defendants' intent in destroying the evidence was to lessen the risk that they  
21 would be found liable by a jury hearing this action.

22          81. Defendants' intentional destruction of evidence harmed and continues to harm  
23 the Plaintiffs.

24                   **PRAYERS AND DAMAGES**

25          82. Plaintiffs, acting when necessary through the Estates, are entitled to any and all  
26 remedies available to them as a result of the conduct alleged herein, including, but not  
27 limited to:

28          ///

1 (a) compensatory damages for death, physical, mental and economic  
2 injuries;

3 (b) punitive damages in an amount sufficient to strip Defendants of all of  
4 the revenue and profits earned from their pattern of constant misconduct and callous  
5 disregard for human life; and

6 (c) any attorneys' fees and costs permitted by law.

7 DATED: March 31, 2009

OLIVA & ASSOCIATES, ALC

9  
10 By: 

Joseph L. Oliva, Esq.  
Michael S. Faircloth, Esq.

11 BURKE O'NEIL LLC  
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17 ESTATE OF SABAH SALMAN HASOON;  
18 HAMZIA UBAID ALWAN; SAJJAD SABAH  
19 SALMAN; MOHAMMED SABAH SALMAN;  
20 ALI SABAH SALMAN; ESTATE OF AZHAR  
21 ABDULLAH ALI; IBTISAM ABBASS  
22 JORREY; SAJJAD AZHAR ABDULLAH;  
23 EMAD AZHAR ABDULLAH; SAJAH AZHAR  
24 ABDULLAH; AND ESTATE OF  
25 NIBRASS MOHAMMED DAWOOD

26 DEMAND FOR JURY TRIAL

27 Plaintiffs hereby demand a jury trial as provided by Rule 38(a) of the Federal Rule of  
28 Civil Procedure.

OLIVA & ASSOCIATES, ALC

By: 

Joseph L. Oliva, Esq.  
Michael S. Faircloth, Esq.

1 BURKE O'NEIL LLC  
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11 SALMAN; MOHAMMED SABAH SALMAN;  
12 ALI SABAH SALMAN; ESTATE OF AZHAR  
13 ABDULLAH ALI; IBTISAM ABBASS  
14 JORREY; SAJJAD AZHAR ABDULLAH;  
15 EMAD AZHAR ABDULLAH; SAJAH AZHAR  
16 ABDULLAH; AND ESTATE OF  
17 NIBRASS MOHAMMED DAWOOD  
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ORIGINAL

JS 44  
(Rev. 07/89)

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE SECOND PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

ESTATE OF SABAH SALMAN HASOON;  
HAMZIA UBAID ALWAN;  
SAJJAD SABAH SALMAN;

[SEE ATTACHED LIST]

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF IRAO  
(EXCEPT IN U.S. PLAINTIFF CASES)

## DEFENDANTS

XE, formerly known as BLACKWATER  
WORLDWIDE and BLACKWATER LODGE AND  
TRAINING CENTER, INC. US TRAINING CENTER  
WEST;  
[SEE ATTACHED LIST]

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT AIRFAX, VA  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE  
TRACT OF LAND INVOLVED.

ATTORNEYS (IF KNOWN)

'09CV 0647 L

JMA

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)  
OLIVA & ASSOCIATES, ALC  
11770 Bernardo Plaza Court  
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San Diego, CA 92128  
(858) 385-0491

## II. BASIS OF JURISDICTION (PLACE AN 'X' IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff  
☒ 3 Federal Question (U.S. Government Not a Party)  
☐ 2 U.S. Government Defendant  
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN 'X' IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- |   | PT                         | DEF                        |   | PT                         | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

This action involves claims in tort by aliens committed in violation of the laws of the nations or a treaty of the United States.

## V. NATURE OF SUIT (PLACE AN 'X' IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (13958) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 400 State Reappointment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 881 Agricultural Acts <input type="checkbox"/> 882 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 990 Other Statutory Actions
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motion to Vacate Sentence <b>HABEAS CORPUS:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Conditions	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609

## VI. ORIGIN

(PLACE AN 'X' IN ONE BOX ONLY)

- ☒ 1 Original Proceeding  
☐ 2 Removal from State Court  
☐ 3 Remanded from Appellate Court  
☐ 4 Reinstated or Reopened  
☐ 5 Transferred from another district (specify)  
☐ 6 Multidistrict Litigation  
☐ 7 Appeal to District Judge from Magistrate Judgment

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION DEMAND \$  
UNDER F.R.C.P. 23

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ YES ☐ NO

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE WHALEN / BURNS / HUFFDocket Number 09cv0561 / 09cv0626 / 09cv0631

DATE

SIGNATURE OF ATTORNEY OF RECORD

MARCH 31, 2009

MICHAEL S. FAIRCLOTH, ESQ.



ATTACHMENT TO CIVIL COVER SHEET

ADDITIONAL PLAINTIFFS:

MOHAMMED SABAH SALMAN;

ALI SABAH SALMAN;

ESTATE OF AZHAR ABDULLAH ALI;

IBTISAM ABBASS JORREY;

SAJJAD AZHAR ABDULLAH;

EMAD AZHAR ABDULLAH;

SAJAH AZHAR ABDULLAH; and

ESTATE OF NIBRASS MOHAMMED DAWOOD,

ATTACHMENT TO CIVIL COVER SHEET

ADDITIONAL DEFENDANTS:

BLACKWATER SECURITY CONSULTING, LLC;

BLACKWATER ARMOR AND TARGETS, LLC;

BLACKWATER AIRSHIPS, LLC;

BLACKWATER LOGISTICS, LLC;

RAVEN DEVELOPMENT GROUP, LLC;

GREYSTONE LIMITED TOTAL INTELLIGENCE SOLUTIONS, LLC;

THE PRINCE GROUP LLC;

EP INVESTMENTS, LLC; and

ERIK PRINCE,

**UNITED STATES  
DISTRICT COURT**  
SOUTHERN DISTRICT OF CALIFORNIA  
SAN DIEGO DIVISION

**# 161549 - SR**

**April 01, 2009  
10:43:27**

**Civ Fil Non-Pris**

USAO #.: 09CV0647

Judge.: M. JAMES LORENZ

Amount.: \$350.00 CK

Check#.: BC#9960

**Total-> \$350.00**

**FROM: ESTATE OF SABAH, ET AL V. XE  
CIVIL FILING**